

July 1976

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Party  
Young Socialist Alliance  
CIA 101 Bush, George  
CIA 3, 01, 7  
Longunder SWP  
4-01

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF NEW YORK

SOCIALIST WORKERS PARTY, et al.,

Plaintiffs,

v.

Civil Action No. 73-3160 (TPG)

ATTORNEY GENERAL OF THE  
UNITED STATES, et al.,

Defendants.

AFFIDAVIT

GEORGE BUSH, being first duly sworn, deposes and says:

1. I am the Director of Central Intelligence. I have served in that office since January 30, 1976.

2. As Director of Central Intelligence, I am the executive head of the Central Intelligence Agency (CIA). The CIA was established by the National Security Act of 1947, 50 U.S.C. §402, et seq., as was the position of Director of Central Intelligence.

3. Under Section 102(d) of the National Security Act of 1947, 50 U.S.C. §403(d), it is the responsibility of the CIA to perform intelligence functions relating to the national security, under the direction of the National Security Council.

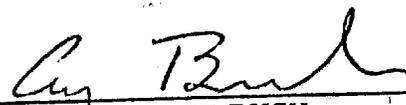
4. Section 102(d)(3) of the National Security Act of 1947, 50 U.S.C. §403(d)(3), provides in part: "That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure."

5. I have been informed of certain discovery requests, including Interrogatory No. 7 of plaintiffs' second set of interrogatories, and certain discovery orders in this case. I have also been informed that, in connection with those discovery requests and orders, the Office of General Counsel of the CIA has caused a search to be made of CIA files to determine whether those files contained any information relating to electronic surveillance or interception of wire communications of any of the plaintiffs in this case or the other individuals named in the Court's order of May 4, 1976. I have been further informed that all systems of CIA records that might reasonably have been expected to contain information relating to the Socialist Workers Party (SWP), the Young Socialist Alliance (YSA), the individual plaintiffs, or the other individuals named in the Court's order of May 4, 1976 were identified and examined in the course of the file search that the Office of General Counsel caused to be made.

6. The files of the CIA do not contain any information indicating that the SWP, the YSA, any of the individual plaintiffs, or any of the other individuals named in the Court's order of May 4, 1976 have been the subject of electronic surveillance conducted by the CIA in the United States.

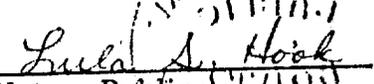
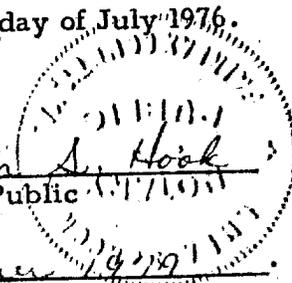
7. The files of the CIA do contain information indicating that conversations of certain of the individual plaintiffs, and certain of the other individuals named in the Court's order of May 4, 1976, were overheard by means of electronic surveillance conducted abroad; and that certain other information, apart from conversations that were overheard, was acquired as a result of several surreptitious entries that were made into premises abroad as to which certain of the named plaintiffs, and certain of the other individuals named in the Court's order of May 4, 1976, had regular access or may have had a proprietary interest.

8. I have executed an In Camera Affidavit and Claim of Privilege in this case. That affidavit, classified Top Secret, formally asserts privilege with respect to the disclosure of information to which reference is made in paragraph 7 above. That affidavit also outlines the basis for the claims of privilege. Specifically, the claims are that the information to which reference is made in paragraph 7 above is subject both to the state secrets privilege and to the statutory privilege arising from the provision in §102(d)(3) of the National Security Act of 1947, 50 U.S.C. §403(d)(3), making the Director of Central Intelligence responsible for the protection of intelligence sources and methods from unauthorized disclosure. I have personally reviewed the matters and appraised the information as to which the claims of privilege are asserted in my In Camera affidavit, and I have personally determined that those claims, which I now assert in this affidavit, are appropriate under the circumstances.

  
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GEORGE BUSH  
Director of Central Intelligence  
Washington, D.C. 20505

County of Fairfax                    )  
  ) ss.  
Commonwealth of Virginia        )

Subscribed and sworn to before me this 1st day of July 1976.

  
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Notary Public  


My Commission expires 3 November 1979